

JAN 28 2002

01-30-02

Customer No. 000959

CPA 1644/7

REQUEST FOR CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR 1.53(d)
(former Rule 1.62)

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#13

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/251,570	PRIOR APPLICATION FILING DATE: FEBRUARY 1999
MXI-101CPA	CLASS:	SUBCLASS:	EXAMINER: A. DECLOUX	ART UNIT: 184

COMMISSIONER FOR PATENTS
BOX CPA
WASHINGTON, DC 20231

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: January 28, 2002

Mailing Label Number: EL 939868220 US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231.

Larry Taylor

Name of Person Mailing Paper

Larry Taylor

Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(d), of pending prior application serial no. 09/251,570 filed on February 17, 1999, entitled METHODS AND COMPOSITIONS FOR TREATING MACROPHAGE-MEDIATED DISEASES which was filed by the following named inventor(s).

FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP
Jan G. J. van de Winkel	Werdorperwaard 1A, 3984 PR Odijk, The Netherlands	The Netherlands
	POST OFFICE ADDRESS	

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this Continued Prosecution Application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ This application discloses only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are
☒ the same, or
☐ less than those named in the prior application. Please delete the following named inventors:
- ☐ Enter the amendment previously filed on _____ under 37 CFR 1.116 but unentered, in the prior application.

01/31/2002 RGE BREH1 00000027 09251570

01 FC:131
02 FC:103
03 FC:104

740.00 OP
180.00 OP
280.00 OP

01/31/2002 RGE BREH1 00000027 09251570

740.00 OP
180.00 OP
01 FC:131
02 FC:103
03 FC:104

3. ☒ A preliminary amendment is enclosed.

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	30	MINUS	20	= 10
INDEP.	2	MINUS	3	= 0
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY	
RATE	FEE
x 9 =	\$0.00
x 42 =	\$0.00
+140 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$0.00

OTHER THAN A SMALL ENTITY	
RATE	FEE
x 18 =	\$ 180.00
x 84 =	\$0.00
+ 280 =	\$280.00
BASIC FEE	\$740.00
TOTAL	\$1200.00

4. ☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayments, associated with this communication, to Deposit Account No. 12-0080. For this purpose a duplicate of this document is enclosed.
5. ☒ A check in the amount of \$1200.00 is enclosed for payment of the filing fee.
6. ☐ A verified statement claiming small entity status was filed in the parent application Serial No. _____ on _____ and is still deemed proper, and its benefit under 37 CFR 1.28(a) is hereby claimed.
7. ☐ Priority of application Serial No. _____, filed on _____, in _____, is claimed under 35 U.S.C. 119.
8. ☒ The prior application is assigned of record to: Medarex, Inc. ; recorded October 12, 1999, Reel 10305 Frame 542-543
9. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP
10. ☒ A request for a three (3) month extension of time has been submitted in the parent application, Serial No. 09/251,570, in order to establish copendency with the present application (a copy of the request for extension is enclosed).
11. ☒ Also enclosed: A copy of a three-month extension of time filed in prior application and a copy of check for \$920.00 (extension of time fee)
12. ☒ Address all future communications (may only be completed by applicant or attorney or agent of record) to Giulio A. DeConti, Jr., Esq. at Customer No. 000959, whose address is:

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application in the file wrapper of a 37 CFR 1.53(d) application be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

January 28, 2002
Date

Jane E. Remillard
Jane E. Remillard, Reg. No. 38,872

☐ Inventor(s)

☒ Attorney or Agent of Record